

**NR\_key\_name:** 35D58D89A5D154EC852565FA0075AFE1

**SendTo:** CN=Jeremy Gunn/O=ARRB @ ARRB

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**From:** CN=Douglas Horne/O=ARRB

**DisplayFromDomain:**

**DisplayDate:** 05/04/1998

**DisplayDate\_Time:** 5:25:08 PM

**ComposedDate:** 05/04/1998

**ComposedDate\_Time:** 4:38:24 PM

**Subject:** Re: Draft 5 of Medical Evidence

THE ELECTRONIC MESSAGE IS HEREBY FORWARDED TO YOU, PER YOUR REQUEST. FRANKLY, I AM MYSTIFIED BY YOUR RESPONSE, when in my opinion I have incorporated, very faithfully, in both tone and content, the items you wanted included in this memo for the public. You spoke to me on the concept of this joint Horne/Gunn memo on about three occasions, and you made the following points quite clearly: (1) You said I was to take the approach of a critic of the Warren Commission and HSCA's failings--i.e., wear one of the critic's hats, so to speak, when writing the draft memo; and that you would wear the hat of a Warren Commission loyalist when reviewing my draft, since you said you did not think me fully capable of assuming that role--and that in the process, we would eventually (hopefully) produce a balanced product. I agreed to proceed as you had directed. (2) You also told me to specifically mention the following shortcomings of the work of the Warren Commission and HSCA: failure of the Warren Commission to authenticate photographs and x-rays from the autopsy, and to resolve chain-of-custody questions; the completely inaccurate statement in HSCA volume 7 (section 4) about all of the HSCA's interviewees agreeing with the wounds in the autopsy photographs (which we now know, since 1993, is not the case); you told me to discuss evidence for missing autopsy photographs; and you told me that we would highlight, in our memo, the problems with the brain photographs. All of these things I have done---and by citing evidence from the Warren Commission and HSCA reports...after all, we should not criticize the work of two official investigations without citing evidence...so this I have done. I incorporated all of these directions of yours into the beginning of the memo, since they are the clear rationale for pursuing the course we did--of attempting to clarify the record. (3) You also told me that we would explain to the reader that this evidentiary adventure upon which we embarked is a cautionary tale, because of the relative unreliability of eyewitness testimony, particularly after many years have passed. I wrote an eloquent paragraph saying just this, which I thought added appropriate balance to the beginning of the memo. I specifically cautioned against selective citations of witness statements by researchers, saying that to do so without taking into account all of our witnesses' testimony, previous testimony by the same people, and the findings of the two official investigations, would present a distorted view of the evidence, and of our efforts. (4) In short, the first 9 pages of this 11 page memo are the full introductory text explaining why we did what we did...that is the obvious way to start such a memo, in my view, and in doing so, the content I inserted, in my view, was in strict accordance with your instructions. The last two pages are the outline you requested this morning of the remainder of the memo. Three sections of it are clearly labeled: -ARRB Witnesses Whose Testimony Supports the Warren Commission -ARRB Witnesses Whose Testimony Supports the HSCA -ARRB Record

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